

HARGRAY COMMUNICATIONS, INC.
P.O. Box 5519
Hilton Head Island, South Carolina 29938

November 29, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Hargray Communications, Inc.
WC Docket No. 05-196
Subscriber Acknowledgement Report (November 28, 2005)

Dear Ms. Dortch:

On August 26, 2005, the Federal Communications Commission (“Commission”) released a Public Notice requiring interconnected Voice over Internet protocol (“VoIP”) providers to submit a report regarding the status of receipt of affirmative acknowledgements by subscribers that they have read and understood an advisory concerning the limitations of their enhanced 911 (“E911”) service.¹ Pursuant to this First Public Notice, Hargray Communications, Inc. (the “Company”) submitted reports on September 1, 2005 and September 23, 2005 (“First PN Reports”).

On September 27, 2005, the Commission released a Second Public Notice in which it required companies that had not obtained acknowledgments from 90 percent or more of their subscribers to submit a report on October 25, 2005.² Because the Company had not obtained acknowledgements from at least 90 percent of its VoIP subscribers as of October 25th, it submitted a report pursuant to the Second Public Notice (“Second PN Report”).

On October 31, 2005, the Commission released a Third Public Notice in which it stated its intention to continue to forbear from pursuing enforcement action against providers who have yet to obtain acknowledgements from 90% of their subscribers provided that these providers file an additional status report.³ Because the Company has yet to obtain acknowledgements from at least 90% of its VoIP subscribers, the Company hereby submits the following status report:

¹ See *Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Notification Requirement*, WC Docket Nos. 04-36 & 05-196; DA 05-2358, Public Notice (rel. Aug. 26, 2005) (“First Public Notice”).

² See *Enforcement Bureau Provides Further Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Notification Requirement*, WC Docket Nos. 04-36 & 05-196; DA 05-2530, Public Notice (rel. Sept. 27, 2005) (“Second Public Notice”).

³ See *Enforcement Bureau Provides Additional Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning Enforcement of Subscriber Notification Requirement*, WC Docket Nos. 04-36 & 05-196; DA 05-2874, Public Notice (rel. Oct. 31, 2005) (“Third Public Notice”). The status report was due on November 28, 2005. The Company respectfully requests that the Commission accept this report one day late.

1. Efforts undertaken to obtain acknowledgements from the remainder of the subscriber base.

As described in its Second PN Report, the Company has made diligent efforts in following up with subscribers that have not responded, emphasizing the importance of reading the notification and sending a signed acknowledgement to the Company. Since filing its last report, the Company has continued to contact the individuals that have not responded and has resent the letters and acknowledgments to these subscribers. The Company hereby commits to continuing contacting any subscribers who still do not respond after these additional measures and to notify the Commission once it has achieved 100% compliance.

2. Explanation as to why the Company has been unable to achieve an acknowledgement percentage closer to 100%.

As demonstrated in the various reports filed with the Commission, the Company has done all that it can do to encourage subscribers to submit acknowledgements. The lower than 90% acknowledgement percentage is certainly not due to any fault of the Company.

3. The current percentage of acknowledgements that the Company has received as of the date of the filing.

In its Second PN report, the Company reported that as of October 25, 2005, the number of the Company's external active VoIP subscribers that have acknowledged receipt of the notice was 69 percent. Due to the Company's continued diligent efforts to obtain responses from those that have yet to respond, this percentage has now increased to 78 percent. As stated above, the Company commits to continuing contacting the remaining 22 percent of the subscribers who have yet to respond and will notify the Commission once it has achieved 100% compliance.

Please contact the undersigned with any questions.

Respectfully Submitted,

s/ Dewaine Wilson

Dewaine Wilson
Controller

cc: Byron McCoy, Telecommunications Consumers Division, Enforcement Bureau
Kathy Berthot, Deputy Chief, Spectrum Enforcement Division, Enforcement Bureau
Janice Myles, Competition Policy Division, Wireline Competition Bureau
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